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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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:  
**U.S. COMMODITY FUTURES TRADING  
COMMISSION,** :

**Plaintiff,**

**v.**

**AMARANTH ADVISORS L.L.C.,  
AMARANTH ADVISORS (CALGARY) ULC  
and BRIAN HUNTER,**

**Defendants.**  
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**Electronically Filed**

**07 Civ. 6682 (DC)**

**Oral Argument Requested**

**NOTICE OF MOTION TO DISMISS THE COMPLAINT  
BY DEFENDANTS AMARANTH ADVISORS L.L.C. AND  
AMARANTH ADVISORS (CALGARY) ULC**

**PLEASE TAKE NOTICE** that upon the accompanying memorandum of law and upon all prior pleadings and proceedings herein, Defendants Amaranth Advisors L.L.C. and Amaranth Advisors (Calgary) ULC, by and through their undersigned counsel, respectfully move this Court, before the Honorable Denny Chin, United States District Judge, at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, on such day and at such time designated by the Court, for an order (a) pursuant to Federal Rule of Civil

Procedure 12(b)(6) dismissing this action for failure to state a claim or, in the alternative, pursuant to Federal Rule of Civil Procedure 9(b) dismissing this action for failure to plead fraud with particularity; and (b) granting such other relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the schedule set by the Court at the November 1, 2007 pre-motion conference, papers in opposition to this motion shall be served on or before December 20, 2007, and Defendants reply papers shall be served on or before January 10, 2008.

Dated: New York, New York  
November 8, 2007

Respectfully submitted,

**WINSTON & STRAWN LLP**

By: /s/ Steven M. Schwartz  
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